

**WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY**

REGULAR MEETING MINUTES

August 12, 2004

I. CALL TO ORDER

Chair Jim Denton convened the meeting at 7:00 p.m.

II. ROLL CALL

Evangeline Anderson	Chuck Booth
A. J. Culver	Ethel Hanis
Claudia Hirschey	Roger Loschen
Michael Marchand	Judy Tessandore

III. MINUTES

Regular Meeting: Chair Denton presented the minutes of the Regular Meeting of July 8, 2004 for review and action by the Board members.

Action: Chuck Booth moved and Judy Tessandore seconded the motion to adopt the minutes of the Regular Meeting of July 8, 2004. The Board voted (8 in favor) to approve this record. Ethel Hanis abstained as she was absent from the July Regular Meeting.

Special Meeting: Chair Denton presented the minutes of the Special Meeting of July 15, 2004 for review and action by the Board members.

A. J. Culver requested that the Special Meeting minutes be amended to clarify the following two matters:

1. Page 7: That the Interlake Sporting Association (ISA) believes that the City of Redmond intends to establish new safety regulations for the firing range, but that ISA did not provide specific documentation to verify proposed new safety requirements.
2. Page 11: That some Board members reported apprehension concerning King County's request to expand the annexation boundaries owing to a 2003 election in which fewer than 25% of the registered voters expressed interest in joining the City of Redmond.

Action: A. J. Culver moved and Van Anderson seconded the motion to adopt the amended minutes of the Special Meeting of July 15, 2004. The Board voted (8 in favor) to approve this record. Chuck Booth abstained as he did not participate in the Special Meeting.

IV. ADMINISTRATION

A. CHAIR'S REPORT

General Business

Chair Denton reported that the Board has been working on several projects, including: (1) coordinating programs with King County Executive/Council 2004 Work Program as it relates to the Boundary Review Board; (2) coordinating efforts with the State Association to develop and implement a program for work with the State Legislature Interim Session and Legislature 2005; (3) Year 2005 Budget Proposal; (4) pre-development review for future Notices of Intention; and (5) providing procedural information to a community group investigating options for incorporation. Committee members and staff will report on each of these activities.

B. Committee Reports

Budget Committee: The Budget Committee report was deferred because, to date, the Board has received no communication from the County Executive or the County Council concerning the Year 2005 Budget Proposal.

The County Executive's Office has asked the Board to provide a typical budget for a public hearing. The County's Office of Management and Budget will utilize that information to determine whether to call for Council to increase the Board's budget to fund public hearings anticipated for 2005. A greater number of hearings is anticipated based upon the County's Annexation Initiative which includes a plan to invoke jurisdiction for the purpose of increasing the acreage of urban lands annexed into cities.

The County's Office of Budget is also working with the County Council to ensure that funds allocated to the Board for payment of rent (but inadvertently placed in another agency budget) are correctly placed within the Board budget for both 2004 and 2005.

Nominating Committee: The Nominating Committee will schedule a meeting in November, 2004 to select candidates for Chair-Elect for 2005. Judy Tessandore, who is Chair-Elect this year, will serve as Chair in 2005.

Personnel Committee: The Personnel Committee will schedule a meeting in October 2004. The Committee will consider two agenda items. The Committee will be completing personnel evaluations. The Committee will also work with Lenora Blauman to fill Board positions that become available in February 2005. The Committee will confirm those existing Board members who would be interested in continuing to serve on the Board. The Committee may also assist in securing new members to fill vacant positions for the 2005-2009 term of service.

Legislative Committee: Lenora Blauman, reporting on behalf of the Legislative Committee, provided a summary of activities underway in Olympia that may directly or indirectly change, limit, or otherwise affect the Boundary Review Board in a manner that damages the independent public review process that the Board provides under RCW 36.93.

In Spring of 2004 Governor Locke adopted an Omnibus Budget Bill that included funding for the Department of Community, Trade, and Economic Development (CTED) to conduct a study to detail the progress to date of each of the buildable lands counties in achieving annexation or incorporation of its urban growth area since adoption of the each county's county-wide planning policies. The six buildable lands counties are Clark, King, Kitsap, Pierce, Snohomish, and Thurston.

The State developed a scope of work, timeline, and funding plan for this study. The State also established December 1, 2004 as the date on which CTED shall report findings and recommendations to the Legislature.

The major purposes of the CTED Annexation Study are the definition of obstacles to annexation and development of strategies to address those obstacles. CTED established an Advisory Committee to define specific study content and format, to oversee collection and analysis of study data, and to aid in the formulation of recommendations to the Legislature. CTED also hired a consultant (Mike Kattermann of AHBL) to survey officials and citizens groups in each of the buildable lands counties on annexation trends since Countywide Planning Policies have been implemented.

The first meeting of the CTED Advisory Committee took place on July 28, 2004. Approximately 30 government officials attended this meeting. Participants included officials representing buildable lands counties (i.e., Clark, King, Kitsap, Pierce, Snohomish, and Thurston.) Michael Thomas, King County Executive's Office of Management and Budget, represented our County. The meeting was also attended by representatives from cities within those buildable lands counties. Other participants included special districts officials and state representatives (e.g., financial managers, demographers). Dave Williams represented the Association of Washington Cities. Scott Merriman represented the Washington State Association of Counties. CTED invited Susan Winchell (Washington State Association of Boundary Review Boards – Spokane County) to serve on the CTED Advisory Committee representing Boundary Review Boards. Mrs. Blauman will serve as the Association alternate representative to the CTED Advisory Committee.

The purposes of this meeting were the following:

- To confirm data requirements to address the study mandate;
- To establish data sources and strategies for gathering the required information;
- To begin the process of identification of barriers to annexation; and
- To begin the process of identification of strategies to address barriers to annexation

CTED Advisory Committee discussion focused on methods of collection to assure availability of sufficient data, approaches to collection, methods validation and means of utilization. Surveys should be conducted of counties, cities, special purpose districts, and boundary review boards. Committee members agreed that surveys will need to be based upon a common template, while recognizing that counties, cities, and special purpose districts may have different characteristics and offer different views of particular issues. Surveys should also be conducted of residents and property owners of urban unincorporated areas. These surveys would likely be accomplished through community focus groups. These surveys should be intended to gather as much information as possible and then data should serve as the basis to determine and rank issues (e.g., funding deficits, service deficits).

With respect to annexations, the CTED Advisory Committee found that, at present, information about annexation rates and timelines is based on historic data. Much has been accomplished but there is much more to be done. In order to move forward with the mandate for encouraging annexation, data must provide more contemporary and definitive information on annexation rates and timelines. To that end, the CTED scope of work defined as a key study element the role of the Boundary Review Board. At the CTED Advisory Committee meeting, however, there was limited mention of boundary review boards. One Advisory Committee member stated that boundary review board review of applications often seems to duplicate review by community and county officials. A representative from one city reported that the Boundary Review Board in that county supported few annexations stating that boundary review board criteria for review of an annexation are so general as to permit inconsistencies in interpretations. Annexations which meet legal requirements can therefore fail (and inappropriate annexations can be approved), based upon the views of board members. Such inconsistencies make it difficult for communities to achieve logical, orderly, timely growth.

While there are currently a number of available solutions (e.g., amending county and city plans to jointly support annexation; interlocal agreements for a specific annexation), legal complexities and political issues make it difficult to utilize these methods to achieve annexation. New legislation may be desirable to assist regional and local governments in resolving impediments to annexation.

The next meeting of the CTED Advisory Committee will take place in September. At that meeting the Committee will explore annexation impediments/strategies relating to:

- RCW 35.13A (Cities and Towns) and other annexation-related legislation
- RCW 36.70A (Growth Management Act)
- RCW 36.93 (Boundary Review Board Enabling Act)

Boundary Review Board Association representative Susan Winchell has been invited to make a presentation on the role of the boundary review boards to the CTED Annexation Study Team at that meeting.

CTED's preliminary agenda for that discussion lists two issues:

- Discrepancies between GMA policies and particular Boundary Review Board criteria
- Role of boundary review boards following the achievement (i.e., full implementation) of GMA policies

Boundary Review Board Association representatives (Susan Winchell and Lenora Blauman) believe that the discussion at the CTED Advisory Committee meeting will be expanded to

include a more extensive discussion concerning the current contributions of and challenges to the boundary review boards of Washington.

Ms. Winchell will be utilizing the Association Statement of Principles as the basis for her presentation. She will speak of the services that the Board provides to support the annexation process – e.g., independent public review, consistency in the application of review standards.

In order to ensure that the position of the Association is represented in a comprehensive manner, Ms. Winchell is seeking input from members of each Boundary Review Board to identify obstacles to annexation and recommendations concerning possible methods for improvement of the annexation process. Ms. Winchell is particularly interested in receiving information as to the ways that the Board considers modifications to proposed annexations – e.g., expansions, reductions, denials – together with ideas for enhancing the tools available to Boundary Review Boards.

Mrs. Blauman encouraged Board members to share their comments in the survey form provided in the August Regular Board Meeting Packet. Materials should be returned to the King County Board by no later than August 20, 2004. A return envelope is enclosed for your convenience.

Mrs. Blauman reported that the Boundary Review Board members will also have an opportunity to learn about the CTED Annexation Study at the State Association Annual Fall Conference on September 30/October 1. The CTED Annexation Study Team will be making a presentation and leading a discussion at that Conference. Participation in this program will provide an opportunity to offer to the Study Team comments and ideas concerning annexations.

The CTED Advisory Committee will also meet in October 2004 to consider issues related to finance (e.g., taxation, funding incentives). The CTED Study Team will meet in November to contribute to the preparation of the final report to the Legislature. The Report will be presented to the Legislature in December 2004. Report findings will form the framework for new legislation to be proposed to Legislature 2005 to remove obstacles to and encourage implementation of annexations of urban areas.

C. Executive Secretary's Report

Fairwood Incorporation: Mrs. Blauman reported that she held a meeting with the Fairwood Incorporation Team at the request of team members. She provided procedural information on the incorporation process. She provided information on the elements of various incorporation plans and timelines.

The Incorporation Team has also met with representatives of the Office of the King County Executive, including Kurt Triplett, Michael Thomas, and Karen Reed.

The Fairwood Incorporation Community Team continues to be particularly interested in incorporation of the eastern most portion of Renton's Fairwood Potential Annexation Area. The Team believes that the citizens of this area are most amenable to incorporation and that the limited area would constitute a reasonable governing unit. The Team would be interested in including the central portion of the Renton PAA in the Fairwood PAA following incorporation.

The Team would also like to include properties in the Rural Area adjacent to the Urban Growth Area boundary that forms the eastern border of the Fairwood Area. The Team members have been advised that the law will prohibit the inclusion in the incorporation area of properties in the Rural Area outside of the Urban Growth Area boundary.

The Team was encouraged to complete an update of a basic governance study that was conducted in 2000 in order to determine whether incorporation is a viable plan at this time. The governance study findings would also aid the Team in selecting potential boundaries for a future governing unit.

County representatives have offered to fund a comprehensive governance study for the Fairwood Area. However, the County wishes to conduct a study of the entire Fairwood PAA,

rather than the eastern most Fairwood Area. The Team is reluctant to delay the initial incorporation notice to complete such a study.

The Team members expressed concerns that their community would be immediately annexed by the City of Renton or the City of Kent. Team members were advised of annexation regulations and procedures as well as the role of cities and citizens in annexation.

The Team will be meeting with representatives from Renton to determine Renton's interest in and preferred timelines for annexation of the Fairwood PAA. Meetings are also planned with Renton and Kent officials to confirm the County officials' statements that Renton does not intend to cede the Fairwood PAA to Kent for immediate annexation by that City.

The Team and the Office of the King County Executive will continue to work together to develop a scope and schedule for a governance study for a future Fairwood incorporation.

King County Annexation Initiative: The King County Office of the Executive has had preliminary meetings with representatives of several cities that have sizeable potential annexation areas. Discussions continue with all communities in order to determine plans and schedules for future annexations. Issaquah, Kirkland, and Bellevue are the focus of planning for annexations in the near-term.

The Office of the Executive is also making decisions to invoke jurisdiction with respect to proposed annexations which are limited in size and/or which exclude areas that may provide development or service challenges. The Executive's goal is to ensure that the annexation of urban unincorporated lands is accomplished in the most expedient manner to ensure that citizens of urban areas are governed by local communities and that the County can direct its limited resources to regional services and to rural communities.

State Boundary Review Board Association Conference: Mrs. Blauman reported that participation in the 2004 Annual Conference is most important. Of particular significance is the opportunity to learn about – and participate in – the development of the CTED Annexation Study.

Registration forms and reservations for accommodations must be completed by early September.

Year End Meeting: Mrs. Blauman reported that the Board Task Force is making good progress in locating facilities for the Year End Meeting. The following options are under investigation: (1) Space Needle; (2) Holiday Inn; (3) Embassy Suites. Lloyd Baker has provided a preliminary plan for Embassy Suites which includes various options for meeting space and for the social program. A final report and recommendations will be provided at the September Regular Meeting.

Boundary Review Board Meeting Schedule/Office Operations: Mrs. Blauman reported that the Board's Meeting Schedule for August and September includes several changes to scheduled meeting dates, as follows:

▪ August 23/24	Redmond Rose Hill Public Hearing
▪ September 1	Redmond Rose Hill Draft Decision distributed for BRB review
▪ September 9	NO Regular Meeting
▪ September 27	Regular Meeting
▪ September 30/October 1	State Association Conference at Bonneville
▪ October 14	Regular Meeting and Personnel Committee
▪ November 11	Regular Meeting and Nominating Committee

D. CORRESPONDENCE

Correspondence was reviewed briefly. No questions or issues were raised with respect to the substance of the correspondence.

V. NEW BUSINESS

. NOTICES OF INTENTION

File No. 2176 – City of Redmond Bordner Annexation: Mrs. Blauman briefly summarized the application from the City of Redmond to annex 84 acres of land on the northern side of the City. The area includes currently developed land and land that is slated for future residential development.

The Board raised no substantive questions concerning the application.

File No. 2177 – City of Federal Way Southwest Parkway Annexation: Mrs. Blauman briefly summarized the application from the City of Redmond to annex 230 acres of land on the southeastern side of the City. The area includes currently developed land and land that is slated for future residential development.

The Board raised no substantive questions concerning the application.

File No. 2178 – City of Renton Merritt II Annexation: Mrs. Blauman briefly summarized the application from the City of Renton to annex 21 acres of land on the east side of the City. The area includes currently developed land and land that is slated for future residential development. The area also includes Urban Separator due to its proximity to May Creek.

The Board raised no substantive questions concerning the application.

. PENDING FILES

Auburn	Covington
Kent	Ronald Sewer District
Woodinville	Kirkland
Federal Way	Renton (4 files)
Tukwila	Redmond

VI. ADJOURNMENT

Action: Judy Tessandore moved and Ethel Hanis seconded a motion to adjourn the Boundary Review Board Regular Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 8:15 p.m.